

AMENDED IN ASSEMBLY MARCH 18, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2033

Introduced by Assembly Member Torres

February 17, 2010

An act to add Section 50505.5 to the Health and Safety Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

AB 2033, as amended, Torres. Homelessness: federal funding.

Under existing law, the federal McKinney-Vento Homeless Assistance Act, the United States Department of Housing and Urban Development administers various programs relating to homelessness, *including the continuum of care program, which is a competitive award program created to address the problems of homelessness in a comprehensive manner. The program authorizes a state to apply for program funding as a balance of state continuum of care that covers geographic areas of the state not included within a community level continuum of care.*

~~This bill would declare the intent of the Legislature to enact legislation that would ensure that California seeks federal funds for the purpose of reducing and preventing homelessness, particularly in rural areas of the state, by requiring that the Department of Housing and Community Development apply for homelessness assistance programs offered by the United States Department of Housing and Urban Development.~~

This bill would require the Department of Housing and Community Development to apply for McKinney-vento Homeless Assistance Act funding by establishing a balance of state continuum of care program, as described, on or before September 1, 2011. The bill would also require, in the event that the department fails to apply for the federal

funding, that the department report the reasons that it failed to apply for the funding prior to September 30, 2011. The bill would make this reporting requirement inoperative on September 30, 2015.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) California has the largest homeless population of any state*
- 4 *in the country.*
- 5 *(b) Over 380,000 people in California are homeless for some*
- 6 *period of time during the course of each year.*
- 7 *(c) Seventy percent of homeless people in California live*
- 8 *unsheltered, which is the largest percentage in the nation.*
- 9 *(d) In 1994, the United States Department of Housing and Urban*
- 10 *Development (HUD) introduced the continuum of care planning*
- 11 *process, a competitive program designed to encourage communities*
- 12 *to address the problems of housing and homelessness in a more*
- 13 *coordinated and strategic fashion.*
- 14 *(e) The comprehensive continuum of care approach encourages*
- 15 *communities to identify and prioritize gaps in housing and services*
- 16 *available for people who are homeless. It also enables communities*
- 17 *to develop long-term strategies and action plans to address these*
- 18 *gaps using McKinney-Vento Homeless Assistance Act (42 U.S.C.*
- 19 *Sec. 11301) funds and other federal, state, and local resources.*
- 20 *The strategic planning conducted through this program also forms*
- 21 *the basis of a state's or community's continuum of care plan and*
- 22 *application to HUD for McKinney-Vento Homeless Assistance*
- 23 *funds.*
- 24 *(f) The fundamental components of a continuum of care program*
- 25 *include prevention, outreach, emergency shelter, transitional*
- 26 *housing, permanent housing, permanent supportive housing, and*
- 27 *supportive services.*
- 28 *(g) In order to receive funding through the McKinney-Vento*
- 29 *Homeless Assistance Act, a state or community must develop a*
- 30 *continuum of care.*
- 31 *(h) Forty-four counties in the state participated in a continuum*
- 32 *of care that received a funding award in 2009.*

1 (i) According to HUD estimates, 14 counties in the state have
2 unclaimed geography not currently included in a community
3 continuum of care. The unclaimed geography represents \$900,000
4 in federal funding that the state could access to address
5 homelessness in smaller, rural communities.

6 (j) Most states receive funding from HUD using a balance of
7 state continuum of care for areas that are not included in a local
8 community continuum of care. But this state has not taken the
9 necessary steps to establish a balance of state continuum of care
10 to receive the federal funding for areas in this state not included
11 in a local community continuum of care.

12 (k) It is the Legislature's intent that the state should access all
13 federal funding that is available to address homelessness by
14 submitting an application to receive funding under a balance of
15 state continuum of care.

16 SEC. 2. Section 50505.5 is added to the Health and Safety
17 Code, to read:

18 50505.5. (a) The department shall apply for funding pursuant
19 to the McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec.
20 11301) by establishing a balance of state continuum of care
21 continuum of care program on or before September 1, 2011.

22 (b) For purposes of this section, a balance of state continuum
23 of care includes all geographic areas of the state that are not
24 currently receiving McKinney-Vento Homeless Assistance funding
25 through a community continuum of care and geographic areas of
26 the state that do receive federal funds through a community
27 continuum of care that choose to apply for its funding as part of
28 the balance of state continuum of care.

29 (c) (1) If the department fails to apply for McKinney-Vento
30 Homeless Assistance funding pursuant to this section, the
31 department shall report to the Assembly Committee on Housing
32 and Community Development, prior to September 30, 2011, the
33 reasons for its failure to apply for the funding.

34 (2) The requirement for submitting a report pursuant to this
35 subdivision is inoperative on September 30, 2015, pursuant to
36 Section 10231.5 of the Government Code.

37 ~~SECTION 1. It is the intent of the Legislature to enact~~
38 ~~legislation that would ensure that California seeks federal funds~~
39 ~~for the purpose of reducing and preventing homelessness,~~
40 ~~particularly in rural areas of the state, by requiring that the~~

- 1 ~~Department of Housing and Community Development apply for~~
- 2 ~~homelessness assistance programs offered by the United States~~
- 3 ~~Department of Housing and Urban Development.~~

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